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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/010,145

11/08/2001

Paul C.R. Cautley

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02/01/2006

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EXAMINER

KRISCIUNAS, LINDA MARY

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/010,145	Applicant(s) CAUTLEY ET AL.	
	Examiner Linda Krisciunas	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 10-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 13-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

The applicant has chosen claims 1-9 and 13-26 per the response dated January 9, 2006. Claims 10-12 are withdrawn.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9 and 13-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Moulinet et al (US 2001/0032172).

As per claim 1 and 20, Moulinet teaches providing a project summary screen (See Figure 6 which lists all the proposal requests in the inbox); receiving proposal parameters (paragraph 46: "Proposal parameters"); freezing proposal parameters (See Figure 2, (140) "store RFP and forward to service providers" where storing the parameters of the RFP is equivalent to freezing them as it performs an identical function in substantially the same manner with substantially the same results); presenting proposal parameters to at least one reviewer (See Figure 2, (140) "store RFP and forward to service providers" and (180) which allows for a screening of parameters); and receiving a decision regarding the proposal parameter from the at least one reviewer (See Figure 2, (150) "receive and review responses").

As per claim 2 and 14, Moulinet teaches receiving revisions to the proposal parameters prior to freezing the parameters (See Figure 2, (134) Prequalification Review where the parameters required are reviewed prior to submitting the RFP).

As per claim 3, Moulinet teaches receiving a designation of reviewers (paragraph 90 where the user can add reviewers to the short list (136)).

As per claim 4, Moulinet teaches unfreezing the proposal parameters after receiving a decision to allow revisions to the parameters (See Figure 6, (216) "Edit Proposal Content" where the saved information can be edited or unfrozen.).

As per claim 5, 16 and 17 Moulinet teaches receiving comments from at least one reviewer regarding the proposal parameters (See Figure 2, ((150) "Receive and Review Response"); storing the comments with the proposal parameters (See Figure 2, (148) "Store Response and Forward to Client System"); and presenting the comments along with the proposal parameter to a subsequent reviewer (paragraph 17: "According to another aspect of the invention, an RFP and responses thereto are tracked, with the status of the RFPs and responses being reported using various indicators. The RFP may be reported to be in a draft status, active status, pending, declined, received, or awarded status. A proposal submitted in response to an RFP may be reported as being in a draft status, submitted status, awarded, or lost status.").

As per claim 6 and 24, Moulinet teaches converting the proposal to a project after receiving a decision (See figure 8 which lists the projects that were created after the winning proposal was awarded the project.); and tracking the progress of the project (See Figure 8 where the status of the project is posted).

As per claim 7, Moulinet teaches indicating the status of the project based on automatic comparison to previously approved parameters (paragraph 70: "In regard to the proposal "Status" field, the proposal system of the present invention preferably tracks the RFPs and reports the status of the service provider's corresponding proposals using one or more status indicators. For example, the status field shown in the screen 210 includes icons 212 that report the status of the proposals. A project status key 214 at the bottom of the screen 210 reminds the service provider of the meaning of the various icons 212. ").

As per claim 8, Moulinet teaches indicating the status of the project includes color coding project parameters (paragraph 82: "In further embodiments of the invention, color schemes or sound may be used to report status.").

As per claim 9, Moulinet teaches receiving attached documents; storing attached documents; and presenting attached documents to the reviewer (See Figure 7 and paragraphs 75 and 76: "the service provider may view the details of the RFP by clicking on a tab 222 titled "Proposal Request" whereby this is an attachment in the project screen of Figure 7; and "the service provider may use the "Save this Content" button 228 to upload the entered information for storage in the service system" whereby documents can be attached).

As per claim 13, Moulinet teaches a server for presenting a project summary screen and receiving proposal parameters (server system (108)); and a database for storing the project parameters and providing the proposal parameters when requested (database (110)).

As per claim 15, Moulinet teaches the server presents the proposal parameters to reviewers (See Figure 2, "Store RFP and forward to service providers on short list" (140) whereby the preliminary project assessment (130) is a determination of the parameters).

As per claim 18 and 22, Moulinet teaches the server receives a decision regarding the proposal parameters from the reviewers (See Figure 2, "Submit Response" (146) whereby the reviewers respond to the server with respect to the parameters).

As per claim 19 and, Moulinet teaches the server unfreezes the proposal parameters and allows the proposal parameters to be revised (paragraph 68: "Prior to submitting a request for proposal (RFP) to the service providers on the short list, the user prepares the RFP. The computer screen 200 shown in FIG. 5 may be used for this action. In the screen 200, various data entry devices, such as text boxes, may be provided to the user to specify the parameters of the requested proposal. For example, at text box 202, the user may enter a description of the project and specifications therefor. In a text box 204, the user may enter other proposal requirements necessary to set forth the scope of the project." Whereby the parameters can be saved and then edited and re-saved which is equivalent to unfreezing as it performs the same function in substantially the same manner with substantially the same results.).

As per claim 21, Moulinet teaches means for selecting reviewers (See Figure 2, "generate list of prospective service providers" (132) whereby the reviewers are prequalified and then a short list (136) is defined).

As per claim 25, Moulinet teaches means for visually indicating the status of project parameters based on automatic comparison to previously approved parameters (paragraph 80: "In accordance with the present invention, the various RFPs prepared and submitted by the user of the client system are tracked so that the status of the RFPs can be reported to the user. As shown in the screen 240, the "Status" field provides indicators 242 that report the status of the respective RFPs. In one embodiment of the invention, the indicators 242 are icons having different designs that report the various status conditions of the RFPs. For example, one icon design may be used to report that an RFP is in a "draft" status, that is, the RFP has not yet been submitted to the service providers on the short list. Another icon design may be used to report that the RFP is in an "active" status, that is, that the RFP has been submitted to the service providers on the short list. Other icon designs may be used to report that a proposal for the RFP has been received and another reporting that a contract for a proposal has been awarded." whereby the RFP is tracked and the status is indicated by indicators (242) which is equivalent to comparing the status of parameter with those previously approved since the tracking would provide a means for capturing all the parameters and their varying status).

As per claim 26, Moulinet teaches means for receiving attached documents with the proposal parameters; and means for presenting the attached documents to the

reviewers (See Figure 7 and paragraphs 75 and 76: "the service provider may view the details of the RFP by clicking on a tab 222 titled "Proposal Request" whereby this is an attachment in the project screen of Figure 7; and "the service provider may use the "Save this Content" button 228 to upload the entered information for storage in the service system" whereby documents can be attached).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art also teaches about tracking projects: Ben-Meir et al (US 2003/0014326), Barnard et al (US 2005/0097016), and Tibbetts (US 6,158,044), Spencer (US 6,356,909).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Krisciunas whose telephone number is 571-272-6931. The examiner can normally be reached on Monday through Friday, 6:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LMK

*LMK*  
*January 24, 2006*

  
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